





presentation to Commissioners Dennis Patrick (chairman), James Quello, and Patricia Dennis.

(Borkowski:) "The item before you for consideration is a Notice of Proposed Rulemaking to reorganize and deregulate the rules governing Part 97, the Amateur Radio Services. The Amateur Radio Services consist of the Amateur Service, the Amateur Satellite Service, and the Radio Amateur Civil Emergency Services, known as RACES. The Amateur Service and Amateur Satellite Service are recognized internationally; RACES is unique to the United States."

This item proposes to reduce the total body of Amateur service rules by almost forty percent, by deleting those rules that are unnecessary, obsolete or redundant. Just as important, this proposal would reorganize Part 97 to account for the tremendous advances in technology, and concomitant changes in operating practices that are taking place in the Amateur Services."

"The current rules have not undergone a major reorganization since 1951. They have evolved one at a time, in response to the introduction of new technologies. They are based upon telegraphy and AM telephony operating practices. The proposed reorganized rules before you would more readily accommodate current and future technologies and operations. They will promote a regulatory environment that fosters maximum operator flexibility, and innovative technological uses and experimentation."

"In addition to these structural changes to the rules, the document before you does propose certain limited substantive changes. They are in the areas of permissible emission types, and codifications of certain policies not currently specified in the rules."

When the Commission's rules were revised to incorporate the system of emission designators adopted by the Final Acts of the 1979 World Administrative Radio Conference, almost 1,300 possible designators replaced the previous system of fourteen designators used in Part 97. Because Amateur Radio is not a highly structured service, we recommend that this complex system of identifiers be replaced with nine terms that are already familiar to amateur operators. This will eliminate uncertainty, and promote flexibility and experimentation, by clarifying the wide range of emission types that are available."

"Additionally, the document before you would clarify the extent to which amateur stations may provide valuable and needed radio communications in support of community activities, without danger of violating the prohibition against business communications. Except where specifically noted, the new rules are intended to be consistent with the Commission's current rules and policies in the Amateur Services. We believe that this clarification and simplification of the Amateur Service rules will eliminate confusion and encourage compliance. We have included cross-reference tables from the current rules to the proposed rules and vice-versa, to assist the public in understanding and commenting on the new structure."

(Quello:) "It's very well written. The rules needed revision, and congratulations."

(Dennis:) "I think it's a badly needed reorganization. Obviously, we all recognize the important services that the Amateur Radio Service brings to this country, since they're such a strong part of an emergency system when natural disasters strike, and so on. I especially like that we are making explicit what has been heretofore implicit in operating practices. I think it's important to let people know specifically what the rules of the game are, and I applaud that part of the item as well. It recognizes that we're no longer in the vacuum tube age, and that was the early '50's, and we recognize that we're now in the solid state micro-chip age."

(Patrick:) "These are the amateur's rules, we are at the NPRM stage, and we look forward to a dialogue with the Amateur Service as we move along to the final stages of this proceeding. We've had a great deal of that dialogue heretofore. I hope that it will continue."

(Dennis:) "They keep those letters coming..." (laughter)

(Patrick:) "Yes, in fact, we've had a lot of dialogue lately..."

(Editor's Note: Here the Commissioner's are undoubtedly referring to the large numbers of Congressional inquiries and letters pouring in from hams on the 220-MHz issue).

(Dennis:) "Lots and lots..."

(Patrick:) "...But, of course, we welcome it." (The item was adopted unanimously.)

Borkowski, McNamara, Johnston, and Private Radio Bureau Deputy Chief Beverly Baker later elaborated on some of the details of the proposed rules. They emphasized that the document (which in draft form numbers some eighty-seven single spaced typewritten pages) has not yet been finalized for public release. The new rules will include statements of official policy on:

(1.) The exemption of so-called "swap nets" from the business communications provision. Basically, the new rules will say that private individuals selling their personally owned equipment on the amateur air waves in a network format will be permitted.

(2.) How amateur stations may be operated in emergencies...during disasters and in cases involving safety of life and protection of property - or when the station is in distress. (Johnston:) "These rules are in there now, but they are not obvious ... they are back in the appendix with the international rules. These points have been moved up to the main body of Part 97."

- (3.) How amateur stations may be used in support of public gatherings.
- (4.) The four-pronged test that must be met for amateur stations to transmit news information.
- (5.) Frequency sharing. For the first time, the FCC proposes to state explicitly that amateur operators must share their frequencies by choosing the best available frequency, so as not to cause interference.
- (6.) Clarification that station records are within the scope of an amateur station inspection.
- (7.) Appending of self-assigned ID's to the FCC-assigned amateur callsign. Any identifiers may be appended, provided they don't conflict with current FCC-authorized identifiers or prefixes of other nations. Contest and packet stations often use such ID's after their regular callsigns.
- (8.) Clarification of rules on FCC imposition of quiet hours on an amateur station.
- (9.) Removal of rule prohibiting an amateur from damaging another amateur's equipment. FCC believes that hams should rely on local authorities in such situations.
- (10.) Removal of rules instructing aliens on how to apply for a license. Rules duplicate instructions on application FCC Form 610.
- (11.) Removal of space operation notification rules. Space operations will be directed to comply with International Telecommunication Union (ITU) regulations, from which amateur rules were derived.
- (12.) New rules will allow amateur ATV stations to identify transmissions in color as well as monochrome.
- (13.) Deletion of rules requiring retention and disposition of amateur examination papers in the volunteer examination systems. (Johnston:) "This is actually in recognition of "paperless" examinations that can be administered at a computer keyboard.")

The NPRM also proposes to simplify the system of emission designators to be used in Amateur Radio. Johnston said he had considerable help on this from the ARRL's Paul Rinaldo, W4RI (Editor of QST). Rinaldo had previously authored an August 1987 working paper on Designations of Emissions in the Amateur Service.

"We had several meetings and exchanges of drafts. What we tried to do was to get a 'handle' on all of these ITU emission designators. We used to have just

fourteen emission designators in the Part 97 rules."

"When they implemented the changes that were agreed to at WARC-79, we had to switch over to a system for all of our rules using over a thousand different ITU recognized emission designators. ... What Paul did was come up with nine general emission designators and categorized all of the 1,300 ITU designators under those nine terms."

Comments on Docket PR 88-139 will be due on or before August 31, 1988, with replies due on or before October 31, 1988. The document is not yet available, but should be in about two weeks. We plan to print and distribute the new rules - and (hopefully) will have them with us at Dayton. (Booth 475)

[End this issue]